



# LOS ANGELES COUNTY COMMISSION ON HIV

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*While not required of meeting participants, signing-in constitutes public notice of attendance. Presence at meetings is recorded solely based on sign-in sheets, and not signing-in constitutes absence for Commission members. Only members of the Commission on HIV are accorded voting privileges, thus Commissioners who have not signed in cannot vote. Sign-in sheets are available upon request.*

## JOINT PUBLIC POLICY (JPP) COMMITTEE MEETING MINUTES July 2, 2008

Approved  
2/04/2009

MEMBERS PRESENT	MEMBERS ABSENT	PUBLIC	HIV EPI AND OAPP STAFF	COMM STAFF/ CONSULTANTS
Whitney Engeran, <i>Co-Chair</i>	Ruben Acosta	Miki Jackson	Elizabeth Escobedo	Carolyn Echols-Watson
Lee Kochems, <i>Co-Chair</i>	James Skinner	Rich Mathias	Paulina Zamudio	Jane Nachazel
Kyle Baker		Manuel Negrete		Doris Reed
Carrie Broadus		Daniel Rivas		Craig Vincent-Jones
Jeffrey Goodman		Ricki Rosales		
Ruel Nollado		Lambert Talley		
Dean Page		Joey Terrill		
Ron Snyder				
Chris Villa				
Kathy Watt				

### CONTENTS OF COMMITTEE PACKET

- 1) **Agenda:** JPP Committee Agenda, 6/04/2008
- 2) **Minutes:** JPP Committee Minutes, 8/2/2007
- 3) **Minutes:** JPP Committee Minutes, 1/16/2008
- 4) **Minutes:** JPP Committee Minutes, 5/07/2008
- 5) **Minutes:** JPP Committee Minutes, 6/04/2008
- 6) **Memorandum:** CEO Procedures for Development of Legislative Policy and Positions, and Advocacy of County Interests, 11/13/2008
- 7) **Agenda:** County of Los Angeles Federal Agenda for the 110<sup>th</sup> Congress, 2/6/2008
- 8) **Letter:** Request to prohibit the use of funds to implement HRSA HIV/AIDS Bureau (HAB) Policy Notice 99-02, Amendment 1 (73 Federal Register 10260, 2/26/2008), 6/13/2008
- 9) **Letter:** HRSA HIV/AIDS Bureau Policy Notice 99-2, Notice of opportunity to provide written comments 71 Federal Register 70781 (12/06/2006), 2/1/2007
- 10) **Email:** Submit Poster Abstracts for Ryan White HIV/AIDS Program Meeting, 6/16/2008
- 11) **Legislation:** AB 308 (Medi-Cal: HIV Drug Treatment: Developmental Services: Financing), as amended 4/10/2007
- 12) **Legislation:** AB 2899 Sexually Transmitted Diseases: HIV and AIDS: Counseling), Senate Health Committee Analysis, as amended 5/6/2008
- 13) **Update:** State Budget Update, APLA Legislation and Policy 2008, Committees Vote on HIV/AIDS Funding, 5/30/2008
- 14) **Agenda:** Los Angeles County Recommended State Legislative Policies Addressing Issues of Major County Interest, 2008
- 15) **Matrix:** State Public Policy Issues Docket, 7/01/2008

1. **CALL TO ORDER:** Mr. Engeran called the meeting to order at 2:10 pm.
2. **APPROVAL OF AGENDA:**  
**MOTION #1:** Approve the Agenda Order (*Passed by Consensus*).
3. **APPROVAL OF MEETING MINUTES:**  
**MOTION #2:** Approve the August 22, 2007 JPP Committee meeting minutes, as presented (*Passed by Consensus*).

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**MOTION #3:** Approve the January 16, 2008 JPP Committee meeting minutes, as presented (*Passed by Consensus*).

**MOTION #4:** Approve the May 7, 2008 JPP Committee meeting minutes, as presented (*Passed by Consensus*).

**MOTION #5:** Approve the June 4, 2008 JPP Committee meeting minutes, as presented (*Passed by Consensus*)

4. **PUBLIC COMMENT, NON-AGENDIZED:** There were no comments.

5. **COMMISSION COMMENT, NON-AGENDIZED:**

- Mr. Vincent-Jones announced the Commission will host a public forum on the use of Condoms in the Adult Film Industry.
- Mr. Vincent-Jones noted SB 1184 was supposed to be on the Assembly Appropriations Committee agenda, but had been delayed one week.
- Mr. Goodman said Lambda Legal supported Americans with Disabilities Amendment Act passed the House and was going to the Senate. The act broadened the definition of HIV disease disability which courts had often narrowed to exclude HIV (not AIDS).

6. **GOVERNOR'S FY 2008-2009 MAY REVISION:**

- Mr. Nollado noted AIDS Drugs Assistance Program (ADAP) and TMP would be saved with funds from ADAP drug rebates, but cuts to HIV education prevention, housing assistance, early intervention, home community-based care, and the \$10 million Meth program remain. The AIDS Counseling Program, originally under the DMH, had been proposed for elimination, but might go to Office of AIDS (OA) instead. The \$5.2 million for education and prevention annually sponsored by Laird was for specific rural jurisdictions and does not include Los Angeles.
- Three key Medi-Cal concerns had been identified: 10% cut to provider rates; elimination of optional benefits like optometry, dental, and podiatry care; and the elimination of Part B premium payments. The latter two have been restored. A lawsuit has been filed to halt implementation of the 10% cut to provider rates; Mr. Goodman said providers were already posting signs refusing to service Medi-Cal patients.
- Mr. Goodman noted the Department of Corrections and Rehabilitation health care system are under federal receivership for not meeting Constitutional minimums for medical care. The receiver has threatened to seize State assets, essentially siphoning them on entry to the General Fund, which would affect State programs and the State's credit rating.

7. **CY 2009 POLICY AGENDA:**

- Mr. Vincent-Jones said last year's process identified priorities, and assisted staff in facilitating the County's process and aided collaboration among community policy makers.
- Accomplishments facilitated by the 2008 legislative agenda included
  1. Ryan White Reauthorization Principles publication,
  2. Development of a follow-up process,
  3. CD4 reporting,
  4. Maintenance of ADAP,
  5. \$1 million for the Meth Campaign.
- There was progress:
  1. Increasing federal funding,
  2. Addressing Medicare Part D locally,
  3. Developing a better definition of corrections issues,
  4. Continuing work on code-to-names conversion, and
  5. Improving coordination with other County entities and health jurisdictions.
- The County sets federal and state legislative agendas, coordinated by the CEO Office of Intergovernmental Affairs after countywide departmental input. The process starts in August and the Board ultimately approves the agenda in November. The Commission, the PPC and OAPP have collaborated in the last two years to secure CEO support to insert issues on the agendas. Approved agendas set the County's official positions and authorize the County's policy-making apparatus to take action. Mr. Baker noted previous HIV-related language in the County agenda was vague and often outdated. Now, it has been crafted in such a way that issues, even unanticipated ones, can be addressed quickly.

A. **Policy Format:**

1. **Legislative:**

- It is possible the Ryan White legislation will be continued with few adjustments after it expires on 9/20/2009. Even minor changes should be monitored as they could have serious consequences to California if the time period for name-based HIV surveillance systems to mature is not extended. Last year, Los Angeles was held harmless, but could lose funds if that protection ceases.

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- Mr. Mathias felt it risky to support a short renewal which might be gutted in lieu of a national health plan under the new administration, but Mr. Baker felt addressing a comprehensive plan at this juncture was unrealistic. Ms. Broadus felt Ryan White was essentially the seed for a universal plan for PLWH/A. Ms. Watt supported using the Principles to bolster collaboration with jurisdictions nationwide to help them improve services resulting in stronger coalitions.
- 2. **Budgetary:**
  - With increased pressure on federal, state, and local funding resources, discussion centered on outreach to existing partners and new relationships to support more funding, rather fighting over pieces of a shrinking resource pie among allies.
  - Priorities include identifying allies that provide various services in the continuum of care, surveillance methods that fully capture the local epidemic and provide data supporting the allocation formulae, and biomedical research.
- 3. **Regulatory:**
  - California State Corrections Department is piloting a condom program at Solano. Los Angeles County has had a pilot condom program for 7 years. There was discussion about ADAP medications for corrections facilities. Given that corrections facilities are responsible for medical care, funding of last resort cannot be used for those purposes. Many counties provide ADAP medications to jails for services such as re-enrollment, but prisoners held on behalf of state systems are supposed to receive medications through the state.
  - A reduction of syringe exchange programs has been compromised to ensure passage of the current pilot program permitting local governments to override State and County legislation via local ordinance.
  - ➡ Link with the Alcohol and Drug Commission on substance abuse issues. Ms. Watt agreed to provide a brief summary of illegal drugs and their HIV impact.
- 4. **Benefits:**
  - Ms. Broadus noted transportation is a particular problem due to long distances exacerbated by high gas prices. Providers have been asked by OAPP to exercise discretion in distributing bus tokens/passes. This could include income level criteria and medical appointment requirements. These changes are necessary due to flat funding and rising costs of tokens/passes.
  - Legislation to address True Out-of-Pocket (TrOOP) expenses was attempted, but failed and there was no time for another attempt before next year.

### B. Policy Level:

- 1. **Federal issues discussed included:**
  - ➡ Continue efforts to prepare for the future reauthorization of Ryan White in accordance with the Commission's approved Ryan White Reauthorization Principles.
  - ➡ Initiate dialogue on health care reform/universal health care coverage.
  - ➡ Medicare Part D ("donut hole") TrOOP legislation with an emphasis on federal action in the first 100 days of the new administration.
  - ➡ Work with HIV Epi and OAPP on CDC policy to ensure that characteristics like poverty, incarceration, co-morbidities, biology, and behavior are acknowledged as factors that affect incidence.
  - ➡ Address reversal of Drug Enforcement Agency (DEA) enforcement of laws pertaining to medical marijuana and drug paraphernalia.
  - ➡ Follow-up on Coburn's \$30 million bill for care and treatment; some southern states hoped to qualify.
  - ➡ Awareness and education on disease-based discrimination which cuts across a various subjects and governmental levels like immigration status, comprehensive sex education, and harm reduction models. There is no County legislative strategy, but some related pieces of legislation have County support.
  - ➡ As appropriate, watch and support vaccine and bio-medical research and clinical trials (ACTG), including microbicides.
- 2. **State:**
  - ➡ Address outdated Title XXII housing guidelines that hamper providers in appropriately funding services.
  - ➡ Eliminate the disability requirement from CARE/HIPP, amend Cal-COBRA to reflect all insurance including self-insured trusts, enact legislative mandate for minimum standards of quality for all HIPPA insurance policies, enact premium cost cap on HIPPA insurance policies, and address Medi-Cal share-of-cost formula.
  - ➡ Coordinate with OAPP to invite OA to participate in community hearings to include appropriate follow-up for HIV testing, social marketing for communities of color, CLIA waiver requirements for federal and state non-clinical personnel performing rapid testing, and phlebotomy regulations.

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- ➡ Follow-up on state and local action items being developed regarding access to HIV medical services and medication including ADAP, HIV testing and education, condoms, transitional care coordination, discrimination and quality of life issues in correctional/incarceration settings.
- ➡ Host Harm Reduction Coalition (HRC) Commission presentation and follow-up with support for a permanent program with broader harm reduction to extend the current pilot program set to expire at the end of the year, publicize pharmacies that exchange syringes, and address medical waste concerns.

3. **Local:**

- ➡ Continue work on HIV/STD control measures in the adult film industry.
- ➡ Invite ADAP representatives to present at the Commission on the effects and HIV correlation of various substances. Work with them to enact research recommended for crystal meth treatment modalities, update the 20-year old traditional allocation of resources, and substantiate the County burden, including crack cocaine.
- ➡ Review guidelines, especially medical appointment, criteria in light of the effect of higher gas prices.
- ➡ Monitor implementation of new written informed consent procedures.

8. **WORK PLAN:** There were no additional comments.

9. **PUBLIC POLICY ISSUES DOCKET:** The docket was in the packet.

10. **ANNOUNCEMENTS:** There were no announcements.

11. **ADJOURNMENT:** The meeting was adjourned at 4:30 pm.